

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: Applicant's arguments, particularly the paragraph spanning pages 3 and 4 of the 03/16/2010 response, are persuasive. While the cited references provide one of skill in the art with motivation and the ability to make altered HIV gene sequences that have improved expression due to codon optimization and removal of instability elements, the art does not provide motivation to make the precise sequences, SEQ ID NO: 3 and SEQ ID NO: 4, as instantly claimed and depicted in Figures 5 and 6 and described on page 9 of the specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER PITRAK whose telephone number is (571)270-3061. The examiner can normally be reached on Monday-Friday, 8:30AM-5:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fereydoun Sajjadi can be reached on 571-272-3311. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer Pitrak  
Examiner  
Art Unit 1635

/Richard Schnizer/  
Primary Examiner, Art Unit 1635